

Article - Business Regulation

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§19–502.

This subtitle does not apply to:

(1) the use of a soldier's name, portrait, picture, or image in an attempt to portray, describe, or impersonate that soldier in a live performance, single and original work of fine art, play, book, article, film, musical work, radio or television programming, or other audio or audiovisual work, if the performance, fine art, play, book, article, film, musical work, radio or television programming, or other audio or audiovisual work does not constitute a commercial advertisement for any product, good, ware, or merchandise;

(2) the use of a soldier's name, portrait, picture, or image for noncommercial purposes, including any news, public affairs, or sports broadcast or account;

(3) the use of a soldier's name in truthfully identifying the soldier as the author of a particular work or program or as the performer in a particular performance;

(4) any promotional materials, advertisements, or commercial announcements for a use described in item (1), (2), or (3) of this section;

(5) unless the exhibition is continued by the professional photographer after written notice objecting to the exhibition by a person with the authority to grant consent for use under § 19–503 of this subtitle, the use of photographs, video recordings, and images by a person practicing professional photography to exhibit, in or about the professional photographer's place of business or portfolio, samples of the professional photographer's work;

(6) the use of a soldier's picture, portrait, or image that is not facially identifiable; and

(7) a photograph of a monument or a memorial that is placed on any product, good, ware, or merchandise.

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